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**From : Suet Chong**  
**Date : December 8, 2004**  
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Cover Page 1 of 1

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PAGE 1/4 \* RCVD AT 12/8/2004 4:44:44 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-1/26 \* DNIS:2730726 \* CSID: \* DURATION (mm:ss):01:10

FOLEY &amp; LARDNER

76333/108

June 7, 1995

The "Received" stamp of the U.S. Patent & Trademark Office, hereon acknowledges receipt of the accompanying Patent Application of Joel S. GREENBERG

for PROTECTION FROM IONIZING IRRADIATION OR CHEMO-TOXIC DRUG DAMAGE BY IN VIVO GENE THERAPY

Including: \*\*FILED UNDER 37 CFR 1.53(b)

42 pages of spec.; 31 claims; 7 shts. dwgs.; \*\* Declaration; 0 Oath; Assignment  
0 Claim for Convention Priority & Priority Doc.; and Check for 0

Other:

Due: June 7, 1995



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00/484836

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Assistant Commissioner for Patents  
 Washington, D. C. 20231

APPLICATION UNDER 37 C.F.R. 1.53(b)

Sir:

Transmitted herewith for filing is the patent application of:

INVENTOR(S): **Joel S. GREENBERGER**

TITLE: **PROTECTION FROM IONIZING IRRADIATION OR CHEMOTHERAPEUTIC DRUG DAMAGE BY IN VIVO GENE THERAPY**

In connection with this application, the following are enclosed:

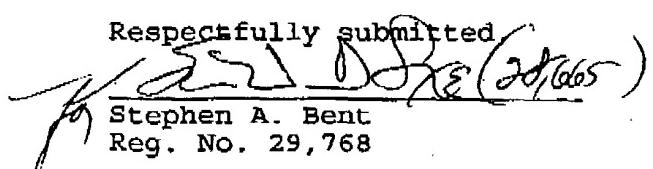
- 42 Pages of Specification with Abstract
- 31 Claims
- 7 Sheets of Drawings
- XX Declaration, Power of Attorney to be filed under provisions of 37 C.F.R. 1.53(d)
- Information Disclosure Statement/PTO-1449/
- Certified Priority Application and Priority Claim
- Statement of Small Entity Status
- Other:

The fee has been calculated as shown below. (Small entity fees indicated in parentheses.)

(1) For	(2) Number Filed	(3) Number Extra	(4) Rate	(5) Basic Fee \$730 (\$365)
Total Claims	31 - 20 =	11	x \$22 (x \$11)	242.00
Independent Claims	2 - 3 =	0	x \$76 (x \$38)	0.00
Multiple Dependent Claims			\$240 (\$120)	0.00
Surcharge Under 37 C.F.R. 1.16(e)			\$130 (\$65)	130.00
<b>TOTAL FEE:</b>				<b>\$1,102.00</b>

Kindly advise the undersigned of the period of time within which to file the oath or declaration of the inventors and TOTAL FEE.

Respectfully submitted

  
 Stephen A. Bent  
 Reg. No. 29,768

Date: June 7, 1995  
 Docket No.: 76333/108

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Abstract of the Disclosure

A method of protecting a subject against an agent that elicits production of toxic free radicals, superoxide anions, or heavy metal cations in the subject is disclosed which entails in vivo administration to the subject of a polynucleotide encoding a protein that is transiently expressed in said subject. The transiently expressed protein is capable of neutralizing or eliminating the toxic free radicals, superoxide anions or heavy metal cations that are elicited by the agent. The method is particularly useful in protecting cancer patients against the damaging effects of ionizing radiation and chemotherapeutic drugs. A composition useful in carrying out the method also is disclosed.